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Jerry Cohen
Reg. No. 20,522

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicants: | Stephen W. FOSS | Examiner: | TBD |
| Serial No: | 10/655,330 | Art Unit: | 1771 |
| Filed: | September 4, 2003 | Confirmation: | 6113 |
| For: | ANTI-MICROBIAL FABRICS, GARMENTS AND ARTICLES | | |

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Boston, MA 02108
(617) 854-4000

To: Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement (Form PTO-1449) (including copies of references) is submitted under 37 CFR 1.97(b)(3).

REMARKS


Applicant submits herewith an Information Disclosure Statement (3 pages) under 37 CFR 1.97(b)(3) before the mailing of a first office action on the merits. In view thereof, no fee is required, however, in the event fees are required please charge any underpayment of fees to or credit any overpayment of fees to Deposit Account No. 03-2410, Order No. 6080-P43

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 617-854-4000.

Dated: September 30, 2004

Respectfully submitted
STEPHEN W. FOSS, Applicant

By: _____


Jerry Cohen
Reg. No. 20,522
Attorney for Applicant

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PTO/SB/08A (08-00)

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| Substitute for form 1449A/PTO | | | Complete if Known | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | Application Number | 10/655,330 | |
| | | | Filing Date | 09/04/03 | |
| | | | First Named Inventor | Stephen W. Foss | |
| | | | Group Art Unit | 1771 | |
| | | | Examiner Name | | |
| Sheet | 1 | of | 3 | Attorney Docket Number | FOS P43 |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|--------------------------|----------------------|--------------------------------------|--|--|--|
| Examiner Initials* | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number | Kind Code ² (if known) | | | |
| | 1 | 3,959,556 | | Morrison | 05-25-1976 | |
| | 2 | 3,983,061 | | Oxe et al | 09-28-1976 | |
| | 3 | 4,226,232 | | Spence | 10-07-1980 | |
| | 4 | 4,350,732 | | Goodwin | 09-21-1982 | |
| | 5 | 4,371,577 | | Sato et al | 02-01-1983 | |
| | 6 | 4,401,770 | | Hance | 08-30-1983 | |
| | 7 | 4,624,679 | | McEntee | 11-25-1986 | |
| | 8 | 4,864,740 | | Oakley | 09-12-1989 | |
| | 9 | 4,911,898 | | Hagiwara et al | 03-27-1990 | |
| | 10 | 4,919,998 | | Goad et al | 04-24-1990 | |
| | 11 | 4,923,914 | | Nohr et al | 05-08-1990 | |
| | 12 | 4,938,958 | | Niira et al | 07-03-1990 | |
| | 13 | 5,047,448 | | Tanaka et al | 09-10-1991 | |
| | 14 | 5,071,551 | | Muramatsu et al | 12-10-1991 | |
| | 15 | 5,094,847 | | Yazaki et al | 03-10-1992 | |
| | 16 | 5,098,417 | | Yamazaki et al | 03-24-1992 | |
| | 17 | 5,104,934 | | Udipi | 04-14-1992 | |
| | 18 | 5,106,897 | | Chen | 04-21-1992 | |
| | 19 | 5,134,201 | | Billovits et al | 07-28-1992 | |
| | 20 | 5,147,339 | | Sundstrom | 09-15-1992 | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|--------------------------|-------------------------|---------------------|--------------------------------------|--|--|--|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
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| Examiner Signature | | Date Considered | |
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| | | | Application Number | 10/655,330 | |
| | | | Filing Date | 09/04/03 | |
| | | | First Named Inventor | Stephen W. Foss | |
| | | | Group Art Unit | 1771 | |
| | | | Examiner Name | | |
| Sheet | 2 | of | 3 | Attorney Docket Number | FOS P43 |

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|-----------------------|--------------------------|----------------------|--------------------------------------|--|--|--|
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| | | Number | Kind Code ² (if known) | | | |
| | 21 | 5,180,585 | | Jacobson et al | 01-19-1993 | |
| | 22 | 5,187,230 | | Udipi | 02-16-1993 | |
| | 23 | 5,219,325 | | Hennink et al | 06-15-1993 | |
| | 24 | 5,244,667 | | Hagiwara et al | 09-14-1993 | |
| | 25 | 5,268,203 | | Batdorf | 12-07-1993 | |
| | 26 | 5,300,167 | | Nohr et al | 04-05-1994 | |
| | 27 | 5,405,644 | | Ohsumi et al | 04-11-1995 | |
| | 28 | 5,408,022 | | Imazato et al | 04-18-1995 | |
| | 29 | 5,494,987 | | Imazato et al | 02-27-1996 | |
| | 30 | 5,525,651 | | Ogoe et al | 06-11-1996 | |
| | 31 | 5,709,870 | | Yoshimura et al | 01-20-1998 | |
| | 32 | 5,733,949 | | Imazato et al | 03-31-1998 | |
| | 33 | 5,756,578 | | Hanes | 05-26-1998 | |
| | 34 | 5,762,650 | | Ruggiero et al | 06-09-1998 | |
| | 35 | 5,783,570 | | Yokota et al | 07-21-1998 | |
| | 36 | 5,876,489 | | Kunisaki et al | 03-02-1999 | |
| | 37 | 5,900,258 | | Engler | 05-04-1999 | |
| | 38 | 5,958,539 | | Eckart et al | 09-28-1999 | |
| | 39 | 5,985,079 | | Ellison | 11-16-1999 | |
| | 40 | 6,037,057 | | Hartzog et al | 03-14-2000 | |

| FOREIGN PATENT DOCUMENTS | | | | | | | |
|--------------------------|--------------------------|-------------------------|---------------------|--------------------------------------|--|--|--|
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
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| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Office ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| | 1 | JP | 1246204 Abstract | A2 | Masami et al | 10-2-1989 | | |
| | 2 | JP | 2091009 Abstract | A2 | Kazuhiko et al | 03-30-1990 | | |
| | 3 | JP | 2099606 Abstract | A2 | Masao et al | 04-11-1990 | | |
| | 4 | JP | 2169740 Abstract | A2 | Kiyoshi | 06-29-1990 | | |
| | 5 | JP | 6116872 Abstract | A2 | Hisao et al | 04-26-1994 | | |
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